

DISPOSITION: UNDISCIPLINED AND DELINQUENT JUVENILES

- Disposition of actions involving undisciplined and delinquent juveniles are covered under ***Article 25 of Chapter 7B of the General Statutes***.
- In all cases, the court should develop a disposition that promotes public safety, emphasizes accountability and responsibility for the juvenile's conduct, and provides appropriate consequences, treatment, training and rehabilitation for the juvenile.
- **Undisciplined Juvenile** means a juvenile less than 16 years of age but at least 6 years of age who is unlawfully absent from school, regularly disobedient beyond disciplinary control, regularly found in places unlawful for a juvenile, or a runaway; or a juvenile 16 or 17 years of age who is disobedient, found in places unlawful for a juvenile, or a runaway.
- **Delinquent Juvenile** means a juvenile who is less than 16 years old but at least 6 years old who has violated a crime, infraction, or local ordinance.
- The court shall select a disposition that is in the best interest of the juvenile, while simultaneously addressing (1) the seriousness of the offense; (2) the need to hold the juvenile accountable; (3) public safety; (4) the degree of culpability based on the circumstances of the case; and (5) the rehabilitative and treatment needs of the juvenile.

Undisciplined Juveniles (Disposition Options). The court may modify the juvenile's supervision and custody arrangements (supervision by social services, court counselors or other persons available to the court; temporary protective supervision; exempt juvenile from compulsory school attendance law).

Delinquent Juveniles

- **STEP 1 – Calculate the juvenile's Prior Adjudication Points.**
 - Class A through E felony (4 points); Class F through I felony, Class A1 Misdemeanor (2 points); Class 1, 2, 3 Misdemeanors (1 point); Probation (2 points).
 - Out-of-state Adjudication – Out-of-state felony adjudication is treated as a Class I felony (2 points); misdemeanor adjudication is treated as a Class 3 misdemeanor (1 point).
- **STEP 2 – Determine juvenile's History Level.**
 - Low (Not more than 1 point); Medium (at least 2, but not more than 3 points); High (4+ points).
- **STEP 3 – Identify the Offense Classification.**
 - Violent (Class A through E felony); Serious (Class F through I felony, Class A1 Misdemeanor); Minor (Class 1, 2, 3 Misdemeanors).
- **STEP 4 – Enter Disposition.**
 - Level 1 (Community Disposition) – Evaluation and treatment; probation; completion of community-based program; payment of fines or restitution; curfew; association restrictions; driving restrictions; limited confinement.
 - Level 2 (Intermediate Disposition) – Level 1 disposition options and at least 1 condition authorized in subdivisions 13 through 23 of G.S. 7B-2506 (completion of wilderness or residential treatment program; intensive probation; payment of restitution; community service; house arrest; placement in a group home; confinement).
 - Level 3 (Commitment) – Commitment to Youth Development Center (YDC).
 - ***Regular Conditions of Probation.*** – Good behavior; no new violations; school/employment; association restrictions; curfew; warrantless search; not possess any weapons; restitution; community service; evaluation and treatment.

SCORING PRIOR RECORD			
NUMBER	TYPE	FACTORS	POINTS
	Prior Felony Class A through E Adjudication	X4	
	Prior Felony Class F through I or Misdemeanor Class A1 Adjudication	X2	
	Prior Misdemeanor Class 1 through 3 Adjudication	X1	
		SUBTOTAL	
If the offense was committed while on probation		+2	
		TOTAL	

CLASSIFYING PRIOR RECORD LEVEL		
POINTS	LEVEL	PRIOR RECORD LEVEL
0-1	I	
2-3	II	
4 +	III	

DISPOSITION CHART

OFFENSE	DELIQUENCY HISTORY		
	LOW	MEDIUM	HIGH
VIOLENT	Level 2 or 3	Level 3	Level 3
SERIOUS	Level 1 or 2	Level 2	Level 2 or 3
MINOR	Level 1	Level 1 or 2	Level 2